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5 **UNITED STATES DISTRICT COURT**
6 **WESTERN DISTRICT OF WASHINGTON**
7 **AT SEATTLE**

8 **JEFFREY R. FORD, et al.,**

9 **Plaintiff(s),**

10 **v.**

11 **BNSF RAILWAY COMPANY, a Delaware**
12 **corporation,**

13 **Defendant.**

14 **CASE NO. 2:16-cv-01383-RSM**

15 **STIPULATED MOTION & ORDER**
16 **TO CONTINUE TRIAL DATE**
17 **AND EXTEND EXISTING**
18 **PRETRIAL DEADLINES**

19 **STIPULATION**

20 The Parties, by and through their attorneys of record, pursuant to LCR 7(d)(1) and
21 LCR 10(g), hereby submit this Stipulated Motion to Continue Trial Date and to Extend Existing
22 Pretrial Deadlines.

23 The Parties stipulate to and jointly request an Order continuing the current
24 October 16, 2017 trial date until January 16, 2018, or as soon thereafter as may be convenient
25 for the Court. The parties additionally request that pretrial deadlines be extended in lock-step
26 with the new trial date.

27 **BACKGROUND**

28 By its Order Setting Trial and Related Dates entered January 24, 2017 (Dkt. 13), the
29 Court set this matter for trial on October 16, 2017, and also established a case schedule of
30 pretrial deadlines based upon that trial date.

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1 By its Order dated January 20, 2017 (Dkt. 12), the Court consolidated the above
2 captioned case with Case Nos. 2:16-cv-01384-RSM and 2:16-cv-01385-RSM for all future pre-
3 trial and trial purposes and ordered that one case schedule be issued for all matters.

4 The Parties stipulate to and jointly move the Court for a continuance of the trial date
5 until January 16, 2018, with a similar continuance the June 19, 2017 discovery deadline for
6 purposes of completing depositions, and the other remaining pretrial deadlines.

7 **DISCUSSION**

8 The parties have been and conferred and submit this stipulated motion in good faith.
9 The Parties have engaged in substantial written discovery and numerous depositions have been
10 noted during the days remaining until the currently scheduled discovery deadline of
11 June 19, 2017. Based upon his schedule and other commitments, including certain medical
12 appointments, counsel for the plaintiffs, George Thornton, is not able to participate in the
13 depositions as currently noticed and they cannot be completed by the current June 19, 2017
14 discovery deadline. The Parties believe that a two month continuance of the discovery deadline
15 will allow them the opportunity to schedule and complete all depositions. The Parties further
16 request that the remaining pretrial deadlines be continued correspondingly, to allow for
17 dispositive motions, mediation and, if necessary, trial preparation following completion of the
18 depositions.

19 The Parties have requested available dates from the Court's staff for continuing the trial
20 and understand that January 16, 2018 is currently available. The proposed new deadlines are
21 set forth in **Exhibit 1**.

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STIPULATED MOTION & ORDER TO
CONTINUE TRIAL DATE AND EXTEND
EXISTING PRETRIAL DEADLINES



Ryan, Swanson & Cleveland, PLLC
1201 Third Avenue, Suite 3400
Seattle, WA 98101-3034
206.464.4224 | Fax 206.583.0359

1 || AGREED AND STIPULATED TO this 8th day of June, 2017.

2 RYAN, SWANSON & CLEVELAND, PLLC THORNTON MOSTUL HERSCHENSOHN,
3 PLLC

4 By /s/ Bryan C. Graff
5 Bryan C. Graff, WSBA #38553
6 Madeline S. Davis, WSBA #51261
7 1201 Third Avenue, Suite 3400
8 Seattle, Washington 98101-3034
Tel: (206) 464-4224
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By /s/ George A. Thornton
George A. Thornton, WSBA #8198
Mark C. Mostul, WSBA #13257
1000 Second Avenue, Suite 3200
Seattle, Washington 98104
Tel: (206) 621-0600
Fax: (206) 621-6443

ORDER

Based upon the foregoing Stipulation of the Parties, IT IS SO ORDERED.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

**STIPULATED MOTION & ORDER TO
CONTINUE TRIAL DATE AND EXTEND
EXISTING PRETRIAL DEADLINES**



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EXHIBIT 1

Events	Current Dates	New Dates
TRIAL DATE	Monday, October 16, 2017	Tuesday, January 16, 2018
Discovery completed by	Monday, June 19, 2017	Friday, August 18, 2017
All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (Local CR 7(d)(3))	Tuesday, July 18, 2017	Monday, September 18, 2017
Mediation per LCR 39.1(c)(3), if requested by the parties , held no later than	Friday, September 1, 2017	Wednesday, November 1, 2017
All motions in limine must be filed by and noted on the motion calendar no earlier than the THIRD Friday thereafter	Monday, September 18, 2017	Monday, November 20, 2017
Agreed pretrial order due	Wednesday, October 4, 2017	Wednesday, January 3, 2018
Pretrial conference to be scheduled by the Court		
Trial briefs, proposed voir dire questions, proposed jury instructions, and trial exhibits due	Wednesday, October 11, 2017	Wednesday, January 10, 2018

**STIPULATED MOTION & ORDER TO
CONTINUE TRIAL DATE AND EXTEND
EXISTING PRETRIAL DEADLINES**



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